

2003 REGULATIONS for the Alaska Subsistence Spring/Summer Migratory Bird Harvest

General Overview

This booklet is an informative summary of the 2003 Alaska subsistence spring/summer migratory bird harvest regulations contained in 50 CFR Part 92, simplified for your convenience. There may be errors or omissions that have not been identified and changes that occur after printing. This booklet is intended as an informational guide only. To be certain of current regulations, refer to the official Code of Federal Regulations and the Federal Register publications, with pertinent parts available at the website <http://alaska.fws.gov/media/ambcc.html>

These regulations will become effective on July 21, 2003, by publication of the Final Rule in the Federal Register. These regulations apply to the spring and summer subsistence harvest of migratory birds in Alaska, **valid until August 31, 2003**. Migratory bird hunting from September 1, 2003 through March 10, 2004 is managed under separate Federal regulations in 50 CFR Part 20 and State regulations in 5AAC. The Alaska Migratory Bird Co-Management Council (Council) will review and recommend any needed modifications of these harvest regulations on an annual basis, working within the schedule of the Federal late season migratory bird hunting regulations.

For More Information Contact: Office of the Alaska Migratory Bird Co-Management Council, U.S. Fish & Wildlife Service, 1011 E. Tudor Rd., MS 201, Anchorage, AK 99503

Voice: toll-free (877) 229-2344, **Fax:** (907) 786-3641, **Email:** FW7_MB_Counsel@fws.gov

Legislative History

As early as 1916, Migratory Bird Treaties with Canada and Mexico failed to recognize Alaska's traditional spring/summer subsistence harvest. After years of negotiations, the treaties were amended in 1997 to recognize this customary and traditional harvest. The amendment set the stage for the creation of the Alaska Migratory Bird Co-Management Council and the 2003 harvest regulations. The Council, which includes representatives from the Alaska Native community, the Alaska Department of Fish and Game, and the U.S. Fish and Wildlife Service acting as equal partners, was formed with the specific purpose of developing "recommendations related to the spring/summer subsistence harvest of migratory birds." Eleven regional management bodies were created to provide crucial local input to the Council in developing the bird harvest list, regional season dates, methods and means and other annual regulatory recommendations. The result of almost 2 years of work by the Council, these 2003 regulations aim to not only recognize this traditional harvest, but also include this harvest within the continental system of migratory bird management and conservation. Additional information on the Migratory Bird Treaties, the Council, harvest surveys, press releases can be found at: <http://alaska.fws.gov/media/ambcc.html>

Definitions

Eligible person means an individual within the State of Alaska who qualifies to harvest migratory birds and their eggs for subsistence purposes during the spring and summer.

Immediate family means spouse, children, parents, grandchildren, grandparents, and siblings.

Non-wasteful taking means making a reasonable effort to retrieve all birds killed or wounded, and retaining such birds in possession between the place where taken and the hunter's permanent or temporary place of residence, or to the location where the birds will be consumed or preserved for food.

Permanent resident means any person whose primary, permanent home for the previous 12 months was within a subsistence harvest area in Alaska. Whenever absent from this primary permanent home, the person has the intention of returning to it. Factors demonstrating a person's primary, permanent home may include: an address listed on an Alaska Permanent Fund dividend application; an Alaska license to drive, hunt, fish, or engage in an activity regulated by a government entity; voter registration; location of residences owned, rented or leased; location of stored household goods; residence of spouse, minor children or dependents; tax documents; whether the person claims residence in another location for any purpose; or a member of a tribe in a subsistence harvest area.

Subsistence means the customary and traditional harvest or use of migratory birds and their eggs by eligible users for their own nutritional and other essential needs.

Subsistence harvest areas encompass customary and traditional hunting areas of villages in Alaska that qualify for a spring or summer subsistence harvest of migratory birds under this part.

Village is defined as a permanent settlement with one or more year-round residents.

Who is Eligible to Participate?

If you are a **permanent resident of a village within a subsistence harvest area**, you will be eligible to harvest migratory birds and their eggs for subsistence purposes in the spring and summer.

Included areas

Village areas located within the **Alaska Peninsula, Kodiak Archipelago, the Aleutian Islands, or in areas north and west of the Alaska Range** are subsistence harvest areas.

Excluded areas

Village areas located in **Anchorage, the Matanuska-Susitna or Fairbanks North Star Boroughs, the Kenai Peninsula roaded area, the Gulf of Alaska roaded area, or Southeast Alaska** are excluded from participating in the 2003 harvest.

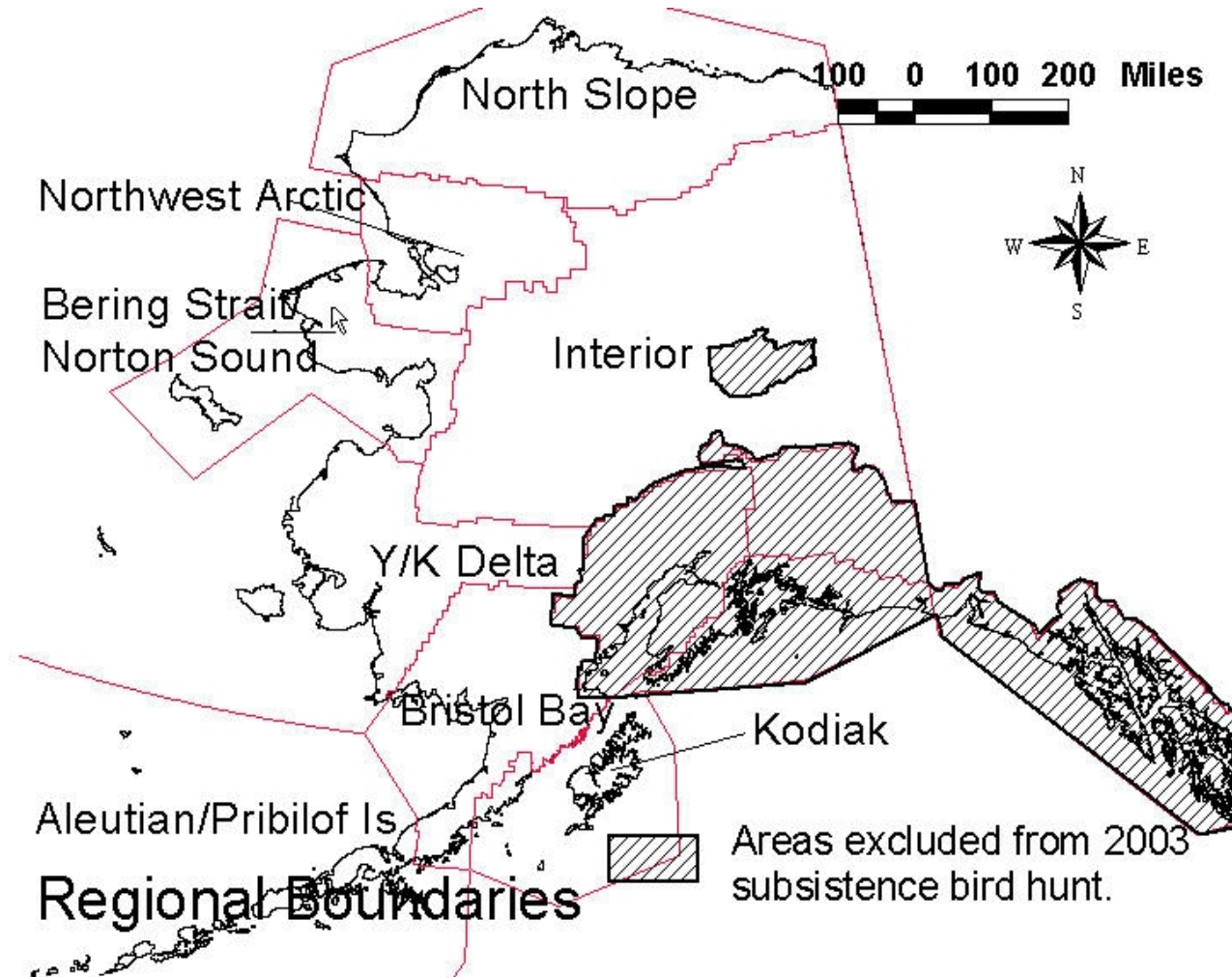
Any person may request the Co-management Council to recommend that an otherwise included or excluded area have their status changed by submitting a petition stating how the area does or does not meet the criteria identified below. The Co-management Council will forward petitions to the appropriate regional management body for review and recommendation. The Co-management Council will then consider each petition and will submit to the U.S. Fish and Wildlife Service any recommendations to include/exclude areas from the spring and summer subsistence harvest.

Participation by Residents in Excluded Areas

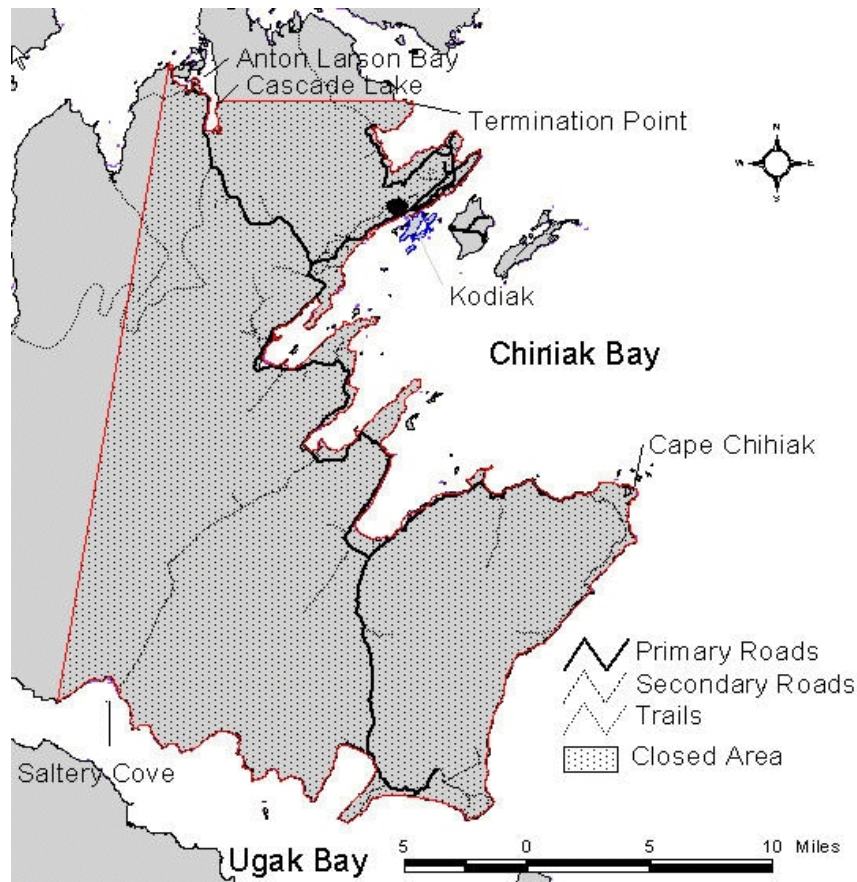
In cases where it is appropriate to assist indigenous inhabitants in meeting their nutritional and other essential needs, or for the teaching of cultural knowledge to or by their immediate family members, residents of excluded areas may participate in the customary spring and summer harvest in a village's subsistence harvest area with the permission of the village council.

Subsistence Harvest Areas

The regions of Alaska open for the 2003 subsistence spring/summer migratory bird harvest include: Alaska Peninsula, Kodiak Archipelago (Kodiak roaded area is closed to harvesting, see map), the Aleutian Islands, or in areas north and west of the Alaska Range. All lands within these regions are open for harvest, except for special requirements on National Park Service lands.



Kodiak Island Closed Area for 2003 Harvest Season



Special Requirements for National Park Service Lands

Subsistence use of resources on National Park Service lands is restricted to only those national monuments parks, and preserves open to subsistence. National Park Service regulations govern which communities or individual residents qualify to subsistence harvest for specific National Parks and Monuments. **Glacier Bay National Park, Katmai National Park, Kenai Fjords National Park, Klondike Gold Rush National Historical Park, “old” McKinley National Park and Sitka National Historical Park are closed to subsistence.** Users of National Parks and Monuments open for subsistence are responsible for complying with these regulations (50 CFR Part 13, Subparts A, B, and C). For more information about subsistence activities on National Park Service lands contact: National Park Service, 2525 Gambell St., Anchorage, AK 99503, (907) 257-2649, Fax (907) 257-2517.

Use and Possession of Migratory Birds

Harvest and possession of migratory birds must be done using non-wasteful taking. You may not take birds for purposes other than human consumption. You may not sell, offer for sale, purchase or offer to purchase migratory birds, their parts, or their eggs taken under this part. Non-edible by-products of migratory birds taken for food may be used for other purposes only by individuals qualified to possess those birds. You may possess migratory birds, their parts, and their eggs, taken under this part, only if you are an eligible participant.

Licenses, Stamps, or Permits are Necessary?

Eligible subsistence users must possess and comply with any licenses, stamps required by Federal and State regulations when participating in the subsistence spring/summer migratory bird harvest. All waterfowl hunters 16 years or older are required to have a current State and Federal Migratory Bird Hunting Stamp (\$15.00), purchasable at most post offices or by calling toll-free: 1-800-852-4897 or online at <http://www.duckstamp.com>. Federal stamps must be signed in ink across the face and must be carried at all times while hunting migratory birds. **Federal and State stamps are not required for hunting non-waterfowl species.** State stamps are valid only for July 1 through January 31 of the following year, so they would only be needed when hunting waterfowl during July 1 through August 31.

Harvest Methods and Means

You *may not use* the following devices and methods to harvest migratory birds:

- *Swivel guns, shotguns larger than 10 gauge, punt guns, battery guns, machine guns, fish hooks, poisons, drugs, explosives, or stupefying substances*
- *Shooting from a sinkbox or low-floating device that conceals the hunter beneath the surface of the water*
- *Hunting from any type of aircraft*
- *Using live birds as decoys, except for auklets on Diomed Island*
- *Hunting with the aid of recorded bird calls*
- *Using any type of vehicle, aircraft, or boat to concentrate, drive, rally, or stir up any migratory birds, except boats may be used to position a hunter*
- *The possession or use of lead or other toxic shot while hunting all migratory birds*
- *Shooting while on or across any road or highway*
- *Using an air boat or jet ski for hunting or transporting hunters (Interior Region only)*

Region-Specific Regulations (Open Seasons)

Note: The 2003 harvest season could not be opened until these regulations were published in the Federal Register, making the effective date July 1, 2003.

Aleutian/Pribilof Islands Region

Northern Unit (Pribilof Islands)

Season: April 2- June 30

Closure: July 1 - August 31

Central Unit (Port Moller on the Alaska Peninsula west to include Unalaska Island)

Season: April 2- June 15 and July 16 - August 31

Closure: June 16 - July 15

Western Unit (Umnak Island west to include Attu Island)

Season: April 2 - July 15 and August 16 - August 31.

Closure: July 16 - August 15.

Yukon/Kuskokwim Delta Region

Season: April 2- August 31

Closure: 30-day closure dates to be announced by the Alaska Regional Director or his designee, after consultation with local subsistence users and the Waterfowl Conservation Committee.

Bristol Bay Region

Season: April 2- June 14 and July 16 - August 31

Closure: June 15 - July 15

Bering Strait/Norton Sound Region**Stebbins/St. Michael Area (Point Romanof to Canal Point)**

Season: April 15 - June 14 and July 16 - August 31

Closure: June 15 - July 15

Remainder of the region

Season: April 2 - June 14 and July 16 - August 31 for waterfowl

April 2 - July 19 and August 21 - August 31 for all other birds

Closure: June 15 - July 15 for waterfowl

July 20 - August 20 for all other birds

Kodiak Archipelago Region (excluding Kodiak roaded area, see map)

Season: April 2- June 19 and July 22 - August 31,

May 1 - June 20 for egg gathering

Closure: June 21 - July 21

Northwest Arctic Region

Season: April 2- August 31 (in general)

May 20 - June 9 for waterfowl egg gathering

July: 3 - July 12 for seabird egg gathering

July 1 - July 31 for harvest of molting/non-nesting waterfowl

Closure: June 10 - August 14, except for taking seabird eggs and molting/non-nesting waterfowl

North Slope Region**Southern Unit (Pt. Hope to Wainwright, along the Chuckchi coast, south and east to Atkasuk and Anaktuvuk Pass)**

Season: April 2 - June 19 and July 20 - August 31 for waterfowl

April 2 - June 29 and July 30 - August 31 for seabirds

Closure: June 20 - July 19 for waterfowl

June 30 - July 29 for seabirds

Northern Unit (Barrow to Nuiqsut)

Season: April 2-June 6 and July 7-August 31 for king and common eiders

April 2 - June 15 and July 16 - August 31 for all other birds

Closure: June 7- July 6 for king and common eiders

June 16 - July 15 for all other birds

Eastern Unit (East of Nuiqsut)

Season: April 2 - June 19 and July 20 - August 31

Closure: June 20 - July 19

Interior Region

Season: April 2- June 14 and July 16 - August 31

May 1 - June 14 for egg gathering

Closure: June 15 - July 15

Migratory Bird Species Open for Harvest

You may harvest birds or gather eggs from the following species within all open regions.

Red-throated Loon
Arctic Loon
Pacific Loon
Common Loon
Horned Grebe
Red-necked Grebe
Northern Fulmar
Double-crested Cormorant
Red-faced Cormorant
Pelagic Cormorant
Greater White-fronted
Goose
Snow Goose
Lesser Canada Goose
Taverner's Canada Goose
Aleutian Canada Goose*
Cackling Canada Goose**
Black Brant***
Tundra Swan
Gadwall
Eurasian Wigeon
American Wigeon
Mallard
Blue-winged Teal
Northern Shoveler
Northern Pintail
Green-winged Teal
Canvasback
Redhead
Ring-necked Duck
Greater Scaup
Lesser Scaup
King Eider
Common Eider
Harlequin Duck
Surf Scoter
White-winged Scoter
Black Scoter
Long-tailed Duck
Bufflehead
Common Goldeneye
Barrow's Goldeneye
Hooded Merganser

Common Merganser
Red-breasted Merganser
Sandhill Crane
Black-bellied Plover
Common Ringed Plover
Black Oystercatcher
Greater Yellowlegs
Lesser Yellowlegs
Solitary Sandpiper
Wandering Tattler
Spotted Sandpiper
Upland Sandpiper
Bar-tailed Godwit
Ruddy Turnstone
Black Turnstone
Red Knot
Semipalmated Sandpiper
Western Sandpiper
Least Sandpiper
Baird's Sandpiper
Sharp-tailed Sandpiper
Dunlin
Long-billed Dowitcher
Common Snipe
Red-necked phalarope
Red phalarope
Pomarine Jaeger
Parasitic Jaeger
Bonaparte's Gull
Mew Gull
Herring Gull
Slaty-backed Gull
Glaucous-winged Gull
Glaucous Gull
Black Guillemot
Pigeon Guillemot
Cassin's Auklet
Parakeet Auklet
Least Auklet
Whiskered Auklet
Crested Auklet
Sabine's Gull
Black-legged Kittiwake

Red-legged Kittiwake
Ivory Gull
Arctic Tern
Aleutian Tern
Common Murre
Thick-billed Murre
Rhinoceros Auklet
Horned Puffin
Tufted Puffin
Great Horned Owl
Snowy Owl
Northern Hawk Owl
Short-eared Owl

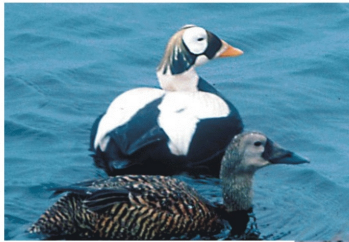
*Except in the Semidi Islands

**Except no egg gathering
anywhere in Alaska

*** Except no egg gathering
in the Yukon/Kuskokwim
Delta and North Slope

In conjunction with the Alaska Migratory Bird Co-Mgt Council, the Fish & Wildlife Service has closed these birds to harvest to ensure their survival. Their populations are extremely low and need your cooperation..

CLOSED for hunting or gathering eggs:



Spectacled Eiders

qaugaq, qavaasuk
lyegaatelek



Steller's Eiders

caqiar, caqiarag
ijniquauqtuq, aglekesegaq
igniquauqtuq



Emperor Geese

nacaullek, leghlleq
ligliqpak
mitilgruaq



Aleutian Canada Geese
(Semidi Islands Only)

CLOSED for egg gathering only:



Cackling Canada Geese

tuutangayak
tuutangayagpak
lagiq, iqsragutilik

Closed only in:
Yukon-Kuskokwim Delta
North Slope



Black Brant

neqlernaq, leqlernaq
laqeciagaq, niglingaq, teghqilkak